



FEDERAL ELECTION COMMISSION
Washington, D.C. 20463

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MEMORANDUM

TO: The Commission

FROM: Daniel A. Petalas
Acting General Counsel

Kathleen M. Guith
Acting Associate General Counsel for Enforcement

BY: Christine C. Gallagher *cg*
Attorney

SUBJECT: MUR 6494 (Schmidt for Congress Committee and the Turkish Coalition of America, Inc., *et al.*) – Pre-Probable Cause to Believe Conciliation

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I. INTRODUCTION

On January 13, 2015, the Commission found reason to believe (1) that Schmidt for Congress Committee and Phillip Greenburg in his official capacity as treasurer ("Committee") violated 52 U.S.C. §§ 30118(a) and 30104(b) by accepting and failing to report a prohibited in-kind corporate contribution from the Turkish Coalition of America, Inc. ("TCA") in the form of free legal services by the Turkish American Legal Defense Fund ("TALDF"), a division of TCA, and (2) that TCA violated 52 U.S.C. § 30118(a) by making the prohibited contribution, and that its president, G. Lincoln McCurdy, also violated § 30118(a) by consenting to the making of the prohibited contribution.¹

The Commission authorized the Office of General Counsel ("OGC") to engage in pre-probable cause conciliation separately with the Committee and TCA/McCurdy and approved opening settlement offers for each. Attached are signed negotiated conciliation agreements (Attachments 1, 3) that would settle the violations. For the reasons discussed below, we recommend that the Commission accept each of the negotiated agreements and close the file.

¹ See Certification (MUR 6494) at 4-5 (Jan. 13, 2015). The Commission also found no reason to believe that the candidate, Jeannette H. Schmidt, violated 52 U.S.C. § 30114(b) by converting campaign funds to personal use, but could not reach a consensus on whether Schmidt knowingly and willfully violated 52 U.S.C. § 30118(a) by accepting a corporate contribution. *Id.*

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Thus, we recommend that the Commission accept the attached conciliation agreement and close the file.

III. RECOMMENDATIONS:

1. Accept the attached conciliation agreement with Schmidt for Congress Committee and Peter Schmidt in his official capacity as treasurer;
2. Accept the attached conciliation agreement with the Turkish Coalition of America, Inc. and G. Lincoln McCurdy;
3. Approve the appropriate letters;
4. Close the file.